GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

STARRED QUESTION NO:152
ANSWERED ON:03.08.2005
INCIDENTS OF KIDNEY ORGAN TRANSPLANTATION
Jha Shri Raghunath;Kharventhan Shri Salarapatty Kuppusamy

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government is aware of frequent incidents of illegal kidney and other organ transplantations in various Government/private hospitals in the country;

(b) if so, the details of cases reported during the last two years and till date, State-wise;

(c) whether action has been initiated in all such cases and the guilty punished;

(d) if not, the reasons therefor;

(e) whether the Government proposes to enact stringent legislation against such unethical practices; and

(f) if so, the time by when such a legislation is likely to be enacted?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS)

(a) to (f): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 152 FOR 3RD AUGUST, 2005

Some incidents of alleged illegal transplant of kidneys have come to the notice of the Government of India. The Government of India, however, do not centrally maintain details of such incidents. Information supplied by various States during last two years regarding such incidents is annexed.

Sale and purchase of human organs including kidneys is already banned under the provisions of the Transplantation of Human Organs Act, 1994. Under Section 13 of the Transplantation of Human Organs Act, 1994, the Central and the State Governments are empowered to appoint Appropriate Authorities for the purpose of the Act. The Appropriate Authorities appointed by the Central and the State Governments are empowered to investigate any complaints of breach of provisions of the Act including those pertaining to sale and purchase of human organs, including kidneys. The Director General of Health Services is the Appropriate Authority in respect of the Union Territories including National Capital Territory of Delhi. However, in respect of the States, action under the Transplantation of Human Organs Act, 1994, has to be taken by the concerned Appropriate Authority. This Act already contains stringent provisions for punishing removal of human organ without authority and for commercial dealings in human organs.

ANNEXURE

DETAILS OF CASES OF ILLEGAL KIDNEY AND OTHER ORGAN TRANSPLANTATIONS IN VARIOUS GOVERNMENT/PRIVATE HOSPITALS REPORTED DURING THE LAST TWO YEARS AND TILL DATE, FROM VARIOUS STATES

S.No.	Name of the State/Union Territory	Details of cases reported
1	Andhra Pradesh	Nil
2	Arunachal Pradesh	Nil
3	Assam	Nil
4	Chhattisgarh	Government of Chhattisgarh have informed that no case of illegal transplant of kidney in Government and private hospitals has come to light during 2004.

5	NCT of Delhi	Delhi Police has registered six FIRs in respect of illegal kidney transplantations in Research and Referral Hospital, New Delhi, Indraprastha Apollo Hospital, New Delhi, Sir Ganga Ram Hospital, New Delhi and Kakkar Hospital, Amritsar. As a result, ten people were arrested by the Delhi Police. The Commissioner, Delhi Police has informed on 31.07.2005 that the cases included in the five out of the six FIRs are currently under investigation. The case included in the sixth FIR (No.186 dated 23.03.2004) has been filed as untraced for want of evidence.
6	Goa	Nil
7	Gujrat	Nil
8	Haryana	Nil
9	Himachal Pradesh	Nil
10	Maharashtra	Government of Maharashtra have informed that in January 2004 Dr. S.P. Trivedi of Bombay Hospital, Mumbai has been prosecuted for the charges of cheating and forgery that deal with illegal trafficking of human organs. The matter was sub-judice as on 3.12.2004.
11	Manipur	Nil
12	Mizoram	Nil
13	Meghalaya	Nil
14	Nagaland	Nil
15	Pondicherry	Nil
16	Punjab	Government of Punjab have reported that sale of human organs for transplant, particularly kidneys was detected in a few cases in the State which are under investigation of the Special Investigating Team constituted for this purpose. As a result of the investigations, many people have been arrested and one hospital, namely, Ram Saran Dass Kishorilal Charitable Trust Hospital, Amritsar has been deregistered. However, there is no large scale exploitation of the poor in the name of organ transplant in the State.
17	Sikkim	Nil
18	Tamil Nadu	Govt of Tamil Nadu have informed that no case of illegal transplant of kidney in Government and private hospitals has come to light during 2004.
19	Tripura	Nil
20	Uttar Pradesh	Government of Uttar Pradesh have

		informed that no case of illegal transplant of kidney in Government and private hospitals has come to light between 1.1.2004 and 30.11.2004.
21	West Bengal	Govt of West Bengal have informed that no case of illegal transplant of kidney in Government and private hospitals has come to light during 2004.
22	A and Nicobar	Nil
23	Chandigarh	Nil
24	Dadra and Nagar Haveli	Nil
25	Daman and Diu	Nil
26	Lakshadweep	Nil